

1 JASON M. FRIERSON
2 United States Attorney
3 District of Nevada
4 Nevada Bar No. 7709
5 VIRGINIA T. TOMOVA
6 Assistant United States Attorney
7 Nevada Bar Number 12504
501 Las Vegas Blvd. So., Suite 1100
Las Vegas, Nevada 89101
(702) 388-6336
Virginia.Tomova@usdoj.gov
Attorneys for Federal Defendants

8 **UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

9
10 CONSTANTIN DENIS MIHAI and
ARNOLD NAPOLES,

11 Plaintiffs,

12 v.

13 ALEJANDRO MAYORKAS, in his official
14 capacity as Secretary of Homeland Security,
U.S. DEPARTMENT OF HOMELAND
15 SECURITY, UR M. JADDOU, in her
16 official capacity as Acting Director of U.S.
17 Citizenship and Immigration Services, U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES, the UNITED STATES OF
AMERICA and JOHN DOES I through
XX, inclusive,

18 Defendants.

Case No. 2:23-cv-01127-JAD-DJA

Stipulation and Order

(First Request)

20 Plaintiffs Constantin Denis Mihai and Arnold Napoles and Defendants Alejandro
21 Mayorkas, Secretary of Homeland Security, US Department of Homeland Security, Ur M.
22 Jaddou, Acting Director of U.S. Citizenship and Immigration Services, United States
23 Citizenship and Immigration Services and United States of America (“Federal
24 Defendants”), hereby stipulate and agree as follows:

25 Plaintiffs filed their Complaint on July 19, 2023.

26 Plaintiffs served the United States with a copy of the Summons and Complaint via
27 Certified Mail on August 4, 2023.

The current deadline for the United States to respond to the Plaintiffs' Complaint is on October 3, 2023.

Plaintiffs and the Federal Defendants, through undersigned counsel, stipulate and request that the Court approve a 60-day extension of time, from October 3, 2023, to December 4, 2023, for Federal Defendants to file a response to the Complaint, ECF No. 1. This is the first request for an extension of time.

Plaintiffs' interview regarding their petition occurred on September 20, 2023. The additional 60 days are necessary to complete the interview process and the request for any additional information regarding the plaintiffs' petition with the United States Citizenship and Immigration Services.

Therefore, the parties request that the Court extend the deadline for the United States to answer or otherwise respond to December 4, 2023.

This stipulated request is filed in good faith and not for the purposes of undue delay.

Respectfully submitted this 3rd day of October 2023.

REZA ATHARI, MILLS & FINK, PLLC

JASON M. FRIERSON
United States Attorney

/s/ Gary Fink
GARY FINK, ESQ.
Nevada Bar No. 8064
3365 Pepper Lane, Suite #102
Las Vegas, Nevada 89120
Attorney for Plaintiffs

/s/ Virginia T. Tomova
VIRGINIA T. TOMOVA
Assistant United States Attorney
Nevada Bar Number 12504
501 Las Vegas Blvd. So., Suite 1100
Las Vegas, Nevada 89101

IT IS SO ORDERED:

UNITED STATES MAGISTRATE JUDGE